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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 \$50,040 IN UNITED
20 STATES CURRENCY,

21 Defendant.

22 MICHAEL MOSS,

23 Claimant.

No. C 06- 4552 WHA

24 STIPULATION AND ORDER
25 RESCHEDULING MOTION HEARING
26 AND CONTINUING CASE
27 MANAGEMENT CONFERENCE

28 The parties agree, subject to the Court's approval, that the hearing on the motion of
claimant to dismiss pursuant to Rule 12(b), Federal Rules of Civil Procedure, shall be
rescheduled to February 8, 2007, at 8:00 a.m., and that the opposition of the United States to that
motion shall be filed on or before January 17, 2007, and that the reply of claimant shall be filed
on or before January 31, 2007.

The requested rescheduling is for a number of reasons. Due to health reasons, the undersigned government counsel has been absent from work quite often this autumn and, as a result, has fallen behind in work responsibilities. Also, the parties have had difficulty in coordinating the demands of the schedules of both counsel during December and January. In addition, the rescheduling will give the parties an opportunity to explore whether the case may be resolved by non-judicial means.

Because a case management conference would not logically move this case forward until after the resolution of the claimant's pending dispositive motion, the parties further agree, subject to the Court's approval, that the case management conference scheduled for November 30, 2006 be taken off calendar. An additional reason for taking the CMC off calendar on November 30 is that counsel for claimant has a conflict and will be in Washington, D.C. on business at that time. Finally, the parties further agree that, following the resolution of the pending dispositive motion, that the Court reschedule the case management conference, if necessary.

IT IS SO STIPULATED:

Dated: November 21, 2006

Dated: November 21, 2006

KEVIN V. RYAN

United States Attorney

PATRICIA J. KENNEY

Assistant United States Attorney

BRENDA GRANTLAND, Esquire
Attorney for Claimant

PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED ON THIS 27th DAY OF NOVEMBER, 2006, THAT THE PARTIES' BRIEFING SCHEDULE SET FORTH ABOVE IS ADOPTED AND THAT THE CASE MANAGEMENT CONFERENCE CURRENTLY SCHEDULED FOR NOVEMBER 30, 2006 BE TAKEN OFF CALENDAR UNTIL FURTHER ORDER OF THIS COURT. is reset for February 22, 2007, at 11:00 a.m.

HONORABLE WILLIAM ALSUP
United States District Judge

Stipulation & Order
C 06-4552 WHA

